

REMARKS

This responds to the Office Action mailed on October 24, 2008.

Claims 4-5, 16, 18, 49 and 50 are amended, claims 14-15 and 35-48 are canceled, claims 6-7 and 10 were previously canceled, and no claims are added; as a result, claims 1-5, 8-9, 11-13, 16-20, and 49-50 are now pending in this application.

Claim Objections

Claims 4-5, 8-9, 11-13, 16-20, 35, and 40 were objected to for informalities. Claims 4-5, 16, and 18 were amended to correct the alleged informalities. The Office Action does not reference any specific informalities for claims 8-9, 11-13, 17, 19, and 20 beyond depending directly or indirectly from claim 4. Applicant submits claims 4-5, 8-9, 11-13, and 16-20 are now in allowable form. The objections with regards to claims 35 and 40 are moot in view of the cancelation of claims 35 and 40.

Double Patenting Rejection

Claims 35-48 were rejected under a statutory double patenting rejection under 35 U.S.C. § 101 over claims 13-26 of U.S. Application No. 11/678,921 (Attorney Docket No. 105.215US2). Applicant does not admit that the claims are obvious in view of U.S. Application No. 11/678,921 (Attorney Docket No. 105.215US2). However, as claims 35-48 have been canceled this rejection is now moot.

Claims 35-48 were provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 13-26 of co-pending Application No. 11/678,921 (Attorney Docket No. 105.215US2). As claims 35-48 have been canceled, this rejection is now moot.

Claims 4, 5, 8 & 9 were provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of claim 9 of co-pending Application No. 11/678,921 (Attorney Docket No. 105.215US2). Applicant has enclosed a terminal disclaimer to obviate this rejection while not admitting that the claims are not patentably distinct from each other.

§101 Rejection of the Claims

Claims 42-48 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. This rejection is now moot in view of the cancelation of claims 42-48.

§112 Rejection of the Claims

Claims 42-48 were rejected under 35 U.S.C. § 112, first paragraph, as lacking adequate description or enablement. This rejection is now moot in view of the cancelation of claims 42-48.

Claims 14-16, 18 and 49-50 were rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness. As claims 14-15 have been canceled, the §112 rejection as applied to claims 14-15 is moot.

Claims 16, 18, and 49-50 have been amended to clarify the claim language and Applicant submits the claims are now in allowable form. Reconsideration and allowance of claims 16, 18, and 49-50 are requested.

§102 Rejection of the Claims

Claims 49-50 were rejected under 35 U.S.C. § 102(b) for anticipation by RSA Web Security Portfolio ("RSA Web Security Portfolio-How RSA SecurID Agents Can Secure Your Website;" hereinafter "RSA"). Applicant submits that a *prima facie* case of anticipation is not established for the present claims because not all of the elements have been disclosed in a single reference.¹

Claim 49 has been amended to clarify the claim language and recites among other things, "receiving authorization data at the second web site from the first website, the authorization data including user identification data from the first web site upon the first web site successfully authorizing the user using the first authentication method." With respect to the current rejection of claim 49, Applicant respectfully traverses. The Office Action references pg. 2, §3, ¶2 of RSA as disclosing portions of claim 49. RSA states:

¹ Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. In re Dillon 919 F.2d 688, 16 USPQ 2d 1897, 1908 (Fed. Cir. 1990) (en banc), cert. denied, 500 U.S. 904 (1991). It is not enough, however, that the prior art reference discloses all the claimed elements in isolation. Rather, "[a]nticipation requires the presence in a single prior reference disclosure of each and every element of the claimed invention, arranged as in the claim." Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing Connell v. Sears, Roebuck & Co., 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983))

When a user attempts to access a service or resource protected by the RSA ACE/Agent software, the user is prompted for a valid user ID, Personal Identification Number (PIN) and a unique, randomly generated authentication code from the RSA SecurID authentication device. These credentials are passed via an SSL connection to the RSA ACE/Server where the PASSCODE is validated. Authorized RSA SecurID users gain access easily, but unauthorized persons are denied access to the protected Web server.

Thus, Applicant respectfully submits that the cited portions of RSA fail to disclose at least “authorization data including user identification data from the first web site upon the first web site successfully authorizing the user using the first authentication method” as recited in claim 49. Accordingly, Applicant respectfully submits that a *prima facie* case of anticipation is not established by RSA. Reconsideration and allowance of claim 49 are respectfully requested.

Claim 50 has been amended to clarify the claim language and recites, among other things, “receiving authorization data from a first web site from the plurality of web sites, the authorization data including user identification data from the first web site upon the first web site successfully authorizing the user using the first authentication method.” Applicant repeats the observations made above concerning the cited portions of RSA in traversing the rejection of claim 50 with respect to “user identification data from the first web site upon the first web site successfully authorizing the user using the first authentication method.” Accordingly, Applicant respectfully submits that a *prima facie* case of anticipation is not established by RSA. Reconsideration and allowance of claim 50 are respectfully requested.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (612) 373-6909 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date January 26, 2009

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 26, 2009.

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